

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David B. Volkin et al.

Serial No. to be assigned

Filed:

For: POLYNUCLEOTIDE VACCINE FORMULATIONS

Art Unit: 1632Examiner: Anne Marie Sabina
WehbeCommissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

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INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

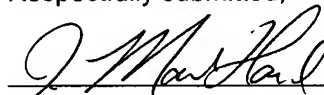
| RELATED APPLICATION | | |
|---------------------|-------------|------------|
| U. S. SERIAL NUMBER | FILING DATE | MERCK CASE |
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If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
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Respectfully submitted,



By: J. Mark Hand

Attorney _____ For Applicant(s)

Reg. No. 36,545

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Date: JANUARY 26, 2004

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

(use as many sheets as necessary)

COMPLETE IF KNOWN

Application Number

Filing Date**First Named Inventor**

D. Volkin

Group Art Unit

1632

Examiner Name

Anne Marie Sabrina Wehbe

Sheet

1

of

3

Attorney Docket Number

19907YIACB

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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**Examiner
Signature**

Date Considered

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| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | COMPLETE IF KNOWN | | |
| | | | Application Number | | |
| | | | Filing Date | | |
| | | | First Named Inventor | D. Volkin | |
| | | | Group Art Unit | 1632 | |
| | | | Examiner Name | Anne Marie Sabrina Wehbe | |
| Sheet | 2 | of | 3 | Attorney Docket Number | 19907YIACB |

| OTHER NON PATENT LITERATURE DOCUMENTS | | |
|---------------------------------------|----------|---|
| Examiner Initials* | Cite No. | Include name of the author, title, date, page(s), volume-issue number(s) and place of publication. |
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|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609.
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|---|---|----|---|--------------------------|--------------------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | COMPLETE IF KNOWN | |
| | | | | Application Number | |
| | | | | Filing Date | |
| | | | | First Named Inventor | D. Volkin |
| | | | | Group Art Unit | 1632 |
| | | | | Examiner Name | Anne Marie Sabrina Wehbe |
| Sheet | 3 | of | 3 | Attorney Docket Number | 19907YIACB |

| NON PATENT LITERATURE DOCUMENTS | | |
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| Examiner Initials* | Cite No. | Include name of the author, title, date, page(s), volume-issue number(s) and place of publication. |
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|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
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